

FILED
CLERK, U.S. DISTRICT COURT
6/10/2020
CENTRAL DISTRICT OF CALIFORNIA
BY: DD DEPUTY

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

George Floyd Pittsburgh Protester,
CENTRAL DISTRICT OF CALIFORNIA

River Silverstein & Frederick Banks,

Laura Michelle Schlemmer,

Petitioners

v.

Pittsburgh Bureau of Police,

Allegheny County, Central Intelligence Agency,

Orlando Harper Warden, Allegheny County Jail, Respondent / Pretrial Detainee (name of warden or authorized person having custody of petitioner),

Governor Tom Wolf

Case No. 2:20-cv-05153-VAP(DFM)
(Supplied by Clerk of Court)

CLASS ACTION

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: River Silverstein / Frederick Banks

(b) Other names you have used:

2. Place of confinement:

(a) Name of institution:

Allegheny County Jail

(b) Address:

950 2nd Ave

Pittsburgh, PA 15219

(c) Your identification number:

120759

3. Are you currently being held on orders by:

Federal authorities

State authorities

Other - explain:

4. Are you currently:

A pretrial detainee (waiting for trial on criminal charges)

Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

(a) Name and location of court that sentenced you:

(b) Docket number of criminal case:

(c) Date of sentencing:

Being held on an immigration charge

Other (explain): post trial

LODGED
CLERK, U.S. DISTRICT COURT
6/9/2020
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Decision or Action You Are Challenging

5. What are you challenging in this petition:

How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

Pretrial detention Immigration detention Detainer The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines) Disciplinary proceedings Other (explain): The decision of Respondents to Lock down the prison and deny Inmates the right to vote

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Allegheny County Jail

(b) Docket number, case number, or opinion number:

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Challenging the decision of the Allegheny County Jail to lock down the prison because of the Mauntown George Floyd police Brutality protest and deny inmates the right to vote(d) Date of the decision or action: 5/30/20

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

 Yes No All available remedies have been exhausted

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Allegheny County Jail(2) Date of filing: 5/30/20(3) Docket number, case number, or opinion number: unknown(4) Result: Denied as frivolous(5) Date of result: 5/30/20(6) Issues raised: Challenging the decision of the Allegheny County jail and respondents to lock down the prison because of the Mauntown Pittsburgh George Floyd police Brutality protest and deny inmates the right to vote

(b) If you answered "No," explain why you did not appeal:

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

 Yes No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: *No one appealed*

9. Third appeal

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes No

If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

Yes No

If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: *It does not proper to challenge issues that deny a specific return before sentence is imposed.*

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

Yes No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12.

Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: Respondents denied Petitioner the Right to Vote in the upcoming election in violation of the First Amendment and Due process

- (a) Supporting facts (Be brief. Do not cite cases or law.):

Petitioner wrote to the local Election office and received an Application for a mail-in ballot. The ballot was sent by Allegheny County Election office to him, but the Respondents held onto it and never provided it to Petitioner when denied from the Right to Vote in Tuesday's election in violation of the First Amendment and Due process

- (b) Did you present Ground One in all appeals that were available to you?

Yes

No

GROUND TWO: Respondents locked down the jail in a de facto lockdown because they started the violence at downtown area Pittsburgh George Floyd police brutality protests in violation of Due process & Equal protection

- (a) Supporting facts (Be brief. Do not cite cases or law.):

To silence Petitioners from voting Respondents locked down the jail in a de facto Lockdown. Not all inmates were locked down only those who sought to vote in Tuesdays election and who were arrested in George Floyd police brutality protests. in violation of Due process & Equal protection and the First Amendment. The real reason for the lock down was Respondents were denying Petitioners the right to vote in Tuesdays election by the bogus lockdown.

- (b) Did you present Ground Two in all appeals that were available to you? election by the bogus lockdown, false imprisonment and false arrests. Petitioners who used upcoming court dates were denied access to the prison Law Computers and Attorney during the bogus lockdown in violation of Due process & Equal protection.

GROUND THREE:

The Central Intelligence Agency illegally placed Petitioners under FISST electronic surveillance to control and manipulate the denial of the right to vote and right to access the Law Library, Counsel and to Assemble. It was really the CIA using remote technology controlling the Police that killed George Floyd & caused the protests!!!

- Start out the prison sought to intimidate Petitioner by slamming his Food Tray Trap open each time they opened it so that it banged & banged three times. This was not done to other inmates. Further Food Service placed a toe nail in Petitioners vegetables which he choked on.

- (b) Did you present Ground Three in all appeals that were available to you?

Yes

No

GROUND FOUR:

The CIA illegally placed Laura Schlemmer under FISA electronic surveillance and imprisoned her on false charges they created in violation of the 8th Amendment.

(a) Supporting facts (Be brief. Do not cite cases or law.):

The CIA illegally placed Laura Schlemmer, a PA State inmate, under FISA electronic surveillance and imprisoned her on false charges they created in violation of the 8th Amendment. See Foggy v. U.S. Court, (DC Idaho 2007). The CIA placed "voices" inside Schlemmer's head which told her to commit two murders of her own children. She received 30-40 years. See Common v. Schlemmer (Appeal to Ct of Common Pleas). The court should ask the Governor Tom Wolf of PA to pardon her.

(b) Did you present Ground Four in all appeals that were available to you? and commuted the sentence.

Yes

No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: *dk*
-
-
-

Request for Relief

15. State exactly what you want the court to do:

Discharge petitioners from custody, sanction Respondents for violating petitioners right to Vote and Right to counsel and to Assemble for protests. Order the FISA order, authorizations & approvals disclosed along with all other requested or warranted relief, certify the attorney's construction and appear class counsel to represent the class.

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

5/30/20

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

River Shure/2

Date: 5/30/20



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Motion to Proceed in forma pauperis

Petitioners move to proceed in forma pauperis & state

1. They are unemployed.
2. Have no income.
3. have no assets except unknown amount of stocks
4. have no dependents.

Therefore the motion should be granted.

Date 1, 5/30/20



Signature
James Silverstein
Signature

